

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WALTER SMITH	:	CIVIL ACTION
	:	
v.	:	
	:	
JON D. FISHER, et al.	:	NO. 14-2935

**ORDER**

**AND NOW**, this 15th day of August, 2016, upon careful and independent consideration of the Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254 (Docket No. 1), and all documents filed in connection therewith, and after review of United States Magistrate Judge Lynne A. Sitarski's Report and Recommendation (Docket No. 18), and consideration of Petitioner's Objections thereto (Docket No. 24), **IT IS HEREBY ORDERED** that:

1. Petitioner's Objections are **OVERRULED**.
2. The Report and Recommendation of Magistrate Judge Sitarski is **APPROVED** and **ADOPTED**.
3. The Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 is **DENIED**.
4. As Petitioner has failed to make a substantial showing of the denial of a constitutional right or demonstrated that a reasonable jurist would debate the correctness of this ruling, the Court declines to issue a certificate of appealability under 28 U.S.C. § 2253(c)(2).
5. The Clerk is directed to **CLOSE** Civil Action No. 14-2935.

BY THE COURT:

/s/John R. Padova  
John R. Padova, J.